

OGC HAS REVIEWED.

14 May 1953

MEMORANDUM FOR: Deputy Director (Administration)

THROUGH: Acting General Counsel

FROM: Assistant General Counsel

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SUBJECT: Report Covering TDY ([REDACTED])

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1. The purpose of my TDY assignment was to evaluate and analyze the legal function in the [REDACTED] to develop coordinating procedures, and to make recommendations in connection with any appropriate matters indicating possible improvement. My primary directive, therefore, was the [REDACTED] and on return to visit the Senior Representatives in [REDACTED] to determine what influence, if any, said missions might have in the functioning of Legal Counsel in the general area concerned. 25X1A

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2. I departed 25 March as scheduled and returned to Headquarters on 6 May. During this period I was present in [REDACTED]. What follows will not be an attempt to serialize in detail all problems encountered inasmuch as some have only limited administrative interest and can be resolved without difficulty. Therefore, I shall attempt to present what I consider matters of general administrative and legal interest.

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3. A basic feature of CIA activities of any magnitude is a constant interplay between conventional and unconventional activity. This double thrust raises unique and difficult problems in the field of administration. When accentuated by operational considerations, it produces a condition requiring close and competent supervision. The Mission reflects this basic characteristic in many facets of its operations and no doubt will continue to do so as the national sovereignty of the [REDACTED] people becomes more dominant. On the conventional side of the [REDACTED] namely normal Government housekeeping functions, improved methods of communication and closer coordination with appropriate administrative counterparts in Headquarters appears to be the most pressing need. There is considerable evidence that legal and

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administrative guidance has been sought by the [REDACTED] in the past with inconclusive results. This matter was discussed with the Chief, Administration and Logistics, [REDACTED] and steps are now being taken at Headquarters to furnish reasonable support. It would appear appropriate for further consideration that certain administrative problems be earmarked for early action by the interested administrative counterpart in Headquarters to ensure early consideration.

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6. At the present time there is an existing need for Legal Counsel at the [REDACTED]. Such need is being effectively fulfilled by [REDACTED]. His greatest value lies in his understanding and

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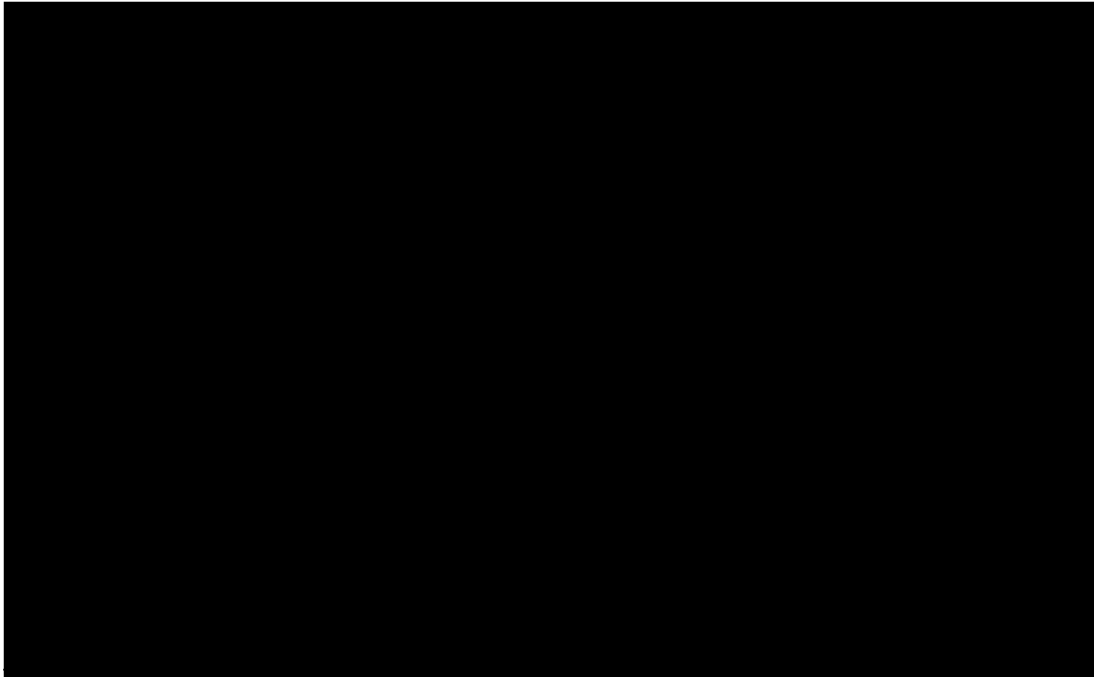
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reach of local law, custom and administration. His weakest point lies in his lack of familiarity with the housekeeping activities of Government. In my opinion, this latter matter can be successfully resolved at this time by improved methods of communication and coordination as indicated above. I would observe in passing that any individual who is called upon to function as Legal Advisor in a foreign area would find his burden considerably decreased if he possessed some linguistic ability in the language concerned. For this reason, if [redacted] is replaced or does not extend his tour, an adequate overlap period is indicated.

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9. Extensive conversations occurred with the Comptroller of the [redacted] and I possess a list of administrative items which require action, either by decision or by policy guidance. Inasmuch as this list of administrative items is somewhat parochial in interest, and can be resolved by presentation to appropriate administrative activities, I do not believe it necessary to include them as a part of this report.

10. Of considerable concern to the Senior Representative was the inability of the Agency to impose sanctions on offending agents and employees. This is a matter with which we are only too familiar and though the answer is simple, the final solution is not without difficulty.

11. A short time prior to my arrival, a system of centralized property control had been inaugurated. The administration of this

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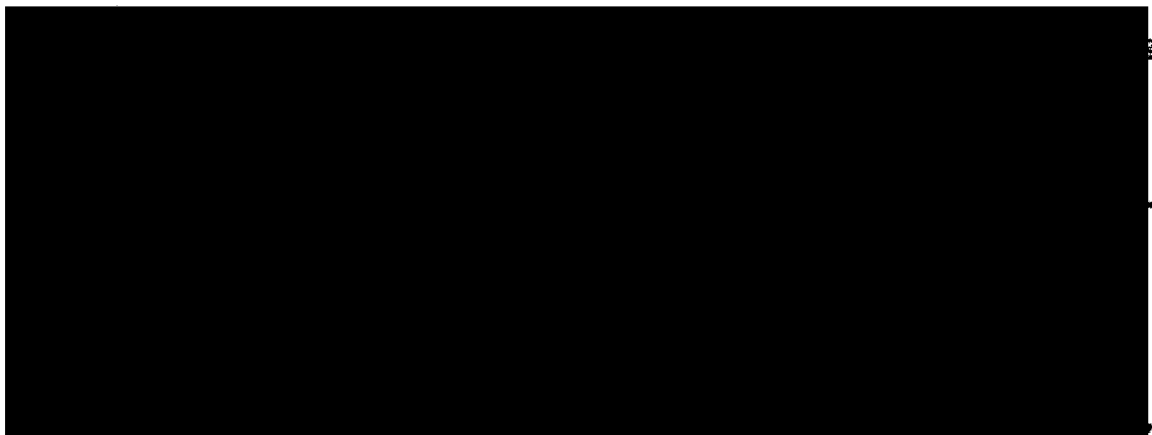
program is rendered difficult by a multiplicity of procurement sources, method of utilizing supply channels, and geographical and organizational locations. This matter was related to the Chief, Logistics Office, prior to his departure for the same area who will no doubt submit a detailed report.

12. The use of Government vehicles for personal or quasi-personal reasons is a universal condition of all Missions. It is the expressed desire of the Senior Representative to restrict such use and I participated in a draft of a regulation which is attached hereto as Exhibit A. As you will note, it spells out areas which are considered to be official use and specifically prohibits certain uses. In my opinion, the problems which have arisen in connection with the use of official vehicles might well be avoided by authorizing employees to take their own cars abroad or to acquire cars through the local economy. In many instances the Government merely provides a "rental" to the employee through the reimbursement device. 25X1A

25X1A 13. The Personnel Director of the [REDACTED] was considerably disturbed with the matter of reassignment or reduction occasioned by the decision to decrease the size of the [REDACTED]. Many employees were sold on a career service principle and do not easily understand why such difficulty exists in reassignment to other areas of the world or to Headquarters. Apparently the percentage of reassignment is small and the percentage of rejection high. I do not know whether this is accurate or not, but at any rate it has created a very bad morale condition with [REDACTED]. 25X1A

14. Some concern was expressed with the inability of the Senior Representative to develop projects in excess of \$1000 without the prior approval of Headquarters. Increase of authority, e.g. \$5000, was suggested as a more realistic figure to avoid submission of pica-yune matters to Headquarters.

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17. The Senior Representative structure is [REDACTED] of course, is considerably more simple than that of the [REDACTED]. However, 25X1A

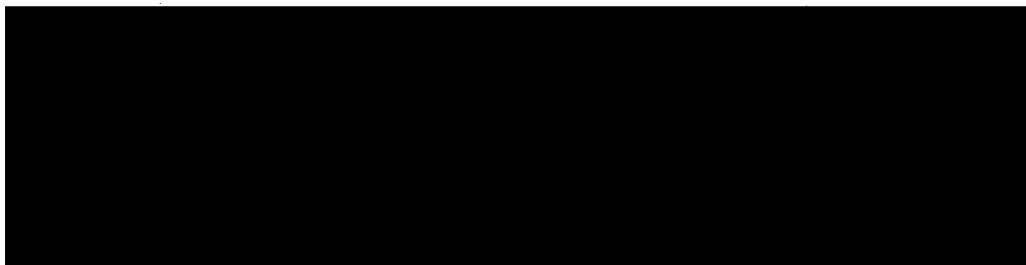
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there are certain similar matters such as the personal use of motor vehicles and the administration of proprietary and subsidy activities. Communication channels and coordination apparently have not caused any undue problem. Legal problems apparently are minimum and there is access to and utilization of local lawyers through the Senior Representative, who is a lawyer. Two matters stand out in my mind as a result of discussion with personnel of the [REDACTED]

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B. Possible conflict between Letters of Instruction issued by operational people and contracts drafted by the Special Contracting Officer. I observed one or two contracts where an apparent conflict is perceivable. I would suggest that closer coordination be achieved between the Special Contracting Officer and the individual issuing Letters of Instruction so as to reduce the area of possible audit exception and financial injury.

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18. Communication channels and coordination between Headquarters and the [REDACTED] appear to be adequate and the need for Legal Counsel in this station is also minimum. I reviewed the current agent contracts and find them to be in an advanced state entirely consistent with some of the more recent developments in agent contractual relationships. Inasmuch as the [REDACTED] to a large extent is a cooperative enterprise with [REDACTED] no substantial legal problems are perceivable at this time.

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19. During the course of my conversations with operational personnel at [REDACTED] I gleaned certain additional facts relative to one [REDACTED] formerly entrusted with a vital part of the Foreign Arms Procurement Program. I noted particularly that [REDACTED] within the last three months ([REDACTED] of [REDACTED]

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States. I make reference to these transactions as being matters of possible interest to Security or Logistics, or DD/P.

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20. It is interesting to note that the current [REDACTED] are being very well received. In all places visited by me there was a general plea that simplicity of language be used so as to reduce the need for construction and interpretation. It is apparent that the regulations fulfill a very important roll in field administration.

21. Based on general conversations it would appear that Headquarters might effectively reaffirm the purposes for which appropriated funds may be used. Obviously the circumstances of any situation may determine whether an expenditure is proper or not. However, it would seem that in some instances the use of appropriated funds comes exceedingly close to being improper inasmuch as the official purpose for which such funds are being expended is somewhat obscure and the personal element more apparent.

22. In summary, the following recommendations are pertinent:

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A. That a Legal Advisor for the [REDACTED] is required at this time and should be placed organizationally within the [REDACTED] so that the relationship is similar to that of the General Counsel and the DCI.

B. That agent contracts and other instruments of legal import be coordinated through the Legal Advisor.

C. That improved methods of communication and coordination be achieved with administrative counterparts in Headquarters to ensure seasonable presentation of administrative problems. The importance of this recommendation cannot be overemphasized.

D. That depending upon future circumstances and organizational plans, further consideration be given to the placement of Legal Counsel to provide the most effective service.

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[REDACTED]
Assistant General Counsel

Attachment

OGC/JBK:imm

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